

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

SLICK SLIDE LLC,)	
)	Case Number:
Plaintiff,)	
)	
v.)	COMPLAINT
)	
DUSTIN PELLETIER)	(JURY TRIAL REQUESTED)
)	
Defendant.)	
_____)	

Plaintiff, Slick Slide LLC (“Slick Slide”), for its Complaint against Defendant Dustin Pelletier (“Defendant”), states and alleges the following:

NATURE OF THE ACTION

1. This is an action for patent infringement and arises under the patent laws of the United States, codified in Title 35 of the United States Code.

THE PARTIES

2. Plaintiff Slick Slide LLC has a place of business at 4247 E. Casitas Del Rio, Phoenix, Arizona 85050, and is a well-known provider of recreational slides.

3. Defendant Dustin Pelletier has a place of business at 36 Park Woodruff Drive, Greenville, South Carolina 29607. Defendant is the owner and operator of a trampoline park, in which he uses and operates recreational slides. Upon information and belief, Defendant resides at 12 Belfrey Drive, Greer, South Carolina 29650.

4. On August 7, 2023, counsel for Slick Slide contacted Defendant and requested Defendant to identify companies that own or operate the trampoline park located at 36 Park

Woodruff Drive, Greenville, South Carolina 29607. Defendant refused to identify companies that own or operate the trampoline park located at 36 Park Woodruff Drive, Greenville, South Carolina 29607.

5. Defendant has stated publicly that he is the owner of the trampoline park located at 36 Park Woodruff Drive, Greenville, South Carolina 29607. Defendant has stated publicly that “I’m Dustin Pelletier and I’m the owner of Big Air trampoline parks in Greenville and Spartanburg.”

JURISDICTION AND VENUE

6. This is a patent infringement case, and this Court has subject matter jurisdiction under 28 U.S.C. § 1331 and 28 U.S.C. § 1338(a).

7. Venue in this judicial district is appropriate based on 28 U.S.C. § 1400(b), in that the Defendant resides therein, or the Defendant has committed acts of infringement and has a regular and established place of business therein.

BACKGROUND FACTS

8. Slick Slide is a family-friendly business, providing entertainment for children and adults in the form of innovative and customized recreational slides. Slick Slide has provided its innovative and customized recreational slides throughout the United States.

9. Slick Slide incorporates unique technology and innovative designs in its products to provide a customized experience for its customers. Slick Slide’s products are also customized to its customers’ environment, including amusement parks and water parks. Slick Slide’s product offerings include indoor and outdoor customized recreational slides.

10. The slide designs offered by Slick Slide are the original creation of Slick Slide. By way of example only, Slick Slide’s Launch Slide design is an original creation of Slick Slide.

11. Slick Slide's Launch Slide design is protected by United States Design Patent No. D973,821, entitled "Recreational Slide" ("the '821 patent"), which issued from the United States Patent and Trademark Office ("USPTO") on December 27, 2022, to inventor Gary Schmit. Mr. Schmit assigned the '821 patent to Slick Slide, which at all times relevant to this action has been the owner of the '821 patent. A copy of the '821 patent is attached to this Complaint as Exhibit A. Slick Slide marks its Launch Slide with the '821 patent.

12. Defendant owns and operates a trampoline park. In connection with its business, Defendant uses and operates recreational slides. For example, Defendant uses and operates the slides that are depicted in the image attached hereto as Exhibit B. Defendant uses and operates the slides that are depicted in the image attached hereto as Exhibit B in this judicial district, has substantial and continuous contacts with this judicial district, and conducts systematic business in this judicial district.

COUNT I – PATENT INFRINGEMENT

13. The allegations of 1-12 are incorporated by reference as if fully set forth herein.

14. Defendant has infringed and continues to infringe the '821 patent by its operation and use of the recreational slides depicted in the image attached hereto as Exhibit B.

15. Defendant's acts of patent infringement complained of herein are being carried out willfully and with full knowledge of Slick Slide's rights in the '821 patent. By way of example only, Defendant's acts of patent infringement are being carried out despite having been sent a cease and desist letter identifying Defendant's infringement of the '821 patent.

16. As a result of Defendant's actions, Slick Slide has suffered and continues to suffer substantial injury, including irreparable injury and monetary damage, including but not limited to

the loss of sales and profits, which Slick Slide would have made but for the acts of infringement by the Defendant. Such injury and damage to Slick Slide will continue unless Defendant is enjoined by this Court from further infringement.

WHEREFORE, Slick Slide prays for the following relief against Defendant:

A. That a judgment be entered against Defendant, that the Defendant has infringed United States Design Patent No. D973,821.

B. That Defendant, his agents, sales representatives, servants and employees, associates, attorneys, parents, successors and assigns, and any and all persons or entities acting at, through, under or in active concert or participation with any or all of them, be enjoined and permanently restrained from further infringing United States Design Patent No. D973,821.

C. That a judgment be entered requiring each Defendant to pay to Slick Slide monetary damages sustained by Slick Slide due to such acts of infringement, including lost profits or reasonable royalty under 35 U.S.C. § 284, or alternatively, the Defendant's total profit under 35 U.S.C. § 289.

D. That such damages payable to Slick Slide be trebled under 35 U.S.C. § 284 for willful infringement.

E. That this case be adjudged and decreed exceptional under 35 U.S.C. § 285, and that Slick Slide be awarded its reasonable attorney fees.

F. That Slick Slide be awarded its costs and prejudgment interest on all damages.

G. That Slick Slide be awarded such other and further relief as the Court deems just and proper.

JURY DEMAND

Slick Slide hereby demands and requests trial by jury of all issues raised that are triable by jury.

Respectfully submitted,

Dated: August 9, 2023

s/Joshua J. Hudson

Joshua J. Hudson (Fed. Bar No. 11620)

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(*Pro Hac Vice* application forthcoming)

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